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8 Counsel for Defendant ALCOCER

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11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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17 UNITED STATES OF AMERICA, ) No. CR-10-0449 MMC  
18 Plaintiff, )  
19 vs. ) **UNOPPOSED MOTION AND**  
20 OSCAR ALCOCER, ) **[PROPOSED] ORDER TO AMEND**  
21 Defendant. ) **FORM OF JUDGMENT**  
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23 On June 1, 2011, this Court sentenced the defendant, Mr. Oscar Alcocer, to a term of  
24 custody of three months, to be followed by one year of supervised release including a condition  
25 of three months of home detention with location monitoring. *See* Docket No. 34 (Judgment). At  
the sentencing hearing, the Court remarked that it was possible that Mr. Alcocer might serve his  
sentence at a halfway house.

26 Undersigned counsel contacted the Bureau of Prisons on June 10, 2011, and learned that  
such direct placements at a Residential Reentry Center are possible, but that BOP does not  
consider them unless the offender received a judicial recommendation that it should be  
considered. Mr. Alcocer would very much like to be considered for such a placement.

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1 Undersigned counsel contacted Assistant United States Attorney Benjamin Tolkoff  
2 regarding the same on June 10, 2011. On June 13, 2011, Mr. Tolkoff represented that he had no  
3 objection to such a recommendation and that he had no opposition to the instant motion.

4 Accordingly, this motion is unopposed.

5 Mr. Alcocer respectfully moves the Court to amend the judgment to add the following  
6 recommendation:

7 **The Court recommends that the Bureau of Prisons consider the defendant for direct  
8 placement at a Residential Reentry Center for service of sentence.**

9 Mr. Alcocer believes that the Court, based on its remark at the hearing, intended that he be  
10 considered for halfway house placement, and that this amended judgment reflects the Court's  
11 intention at sentencing.

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13 Dated: June 13, 2011

14 Respectfully submitted,

15 BARRY J. PORTMAN  
16 Federal Public Defender

17 /s/  
18 LOREN D. STEWART  
19 Assistant Federal Public Defender

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1                   **[PROPOSED] ORDER**

2                 For the reasons set forth above, the Court ORDERS that the judgment in this case be  
3                 amended to add the following recommendation: "The Court recommends that the Bureau of  
4                 Prisons consider the defendant for direct placement at a Residential Reentry Center for service of  
5                 sentence."

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7                 **IT IS SO ORDERED.**

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June 14, 2011 \_\_\_\_\_  
DATE

  
HON. MAXINE M. CHESNEY  
United States District Judge

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